

ASSESSMENT BY THE COMMONWEALTH OMBUDSMAN FOR TABLING IN PARLIAMENT

Under s 486O of the Migration Act 1958

This is the first s 486O assessment on Mr X who remained in immigration detention for more than 24 months (two years).

Name	Mr X
Citizenship	Country A
Year of birth	1982
Ombudsman ID	1002710-O
Date of department's report	12 July 2017
Total days in detention	730 (at date of department's report)

Detention history

13 July 2015	Detained under s 189(1) of the <i>Migration Act 1958</i> following the cancellation of his visa under s 116. He was transferred to Perth Immigration Detention Centre (IDC).
20 July 2015	Transferred to Yongah Hill IDC.
14 July 2017	Granted a bridging visa and released from immigration detention.

Visa applications/case progression

Mr X arrived in Australia on 13 July 2015 on a Tourist visa that was cancelled under s 116 on the same day.	
15 September 2015	Lodged a Safe Haven Enterprise visa (SHEV) application.
21 September 2016	SHEV application refused.
12 January 2017	The Administrative Appeals Tribunal (AAT) affirmed the original decision.
7 February 2017	Applied to the Federal Circuit Court for judicial review. The matter was adjourned and a hearing was scheduled for 16 August 2017.
18 May 2017	Mr X's case was referred on a ministerial submission for consideration under s 195A for the grant of a bridging visa.

Health and welfare

International Health and Medical Services advised that Mr X engaged with the mental health team for the management of stress and a history of torture and trauma.

Other matters

26 June 2017	Mr X lodged a complaint with the Office of the Commonwealth Ombudsman in relation to the loss of his property at Yongah Hill IDC. On 31 August 2017 the Department of Home Affairs (the department) provided a response and on 5 October 2017 the complaint was finalised.
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Case status

Mr X was detained on 13 July 2015 following the cancellation of his visa under s 116 and remained in an immigration detention facility for more than two years.

On 21 September 2016 Mr X's SHEV application was refused and on 12 January 2017 the AAT affirmed the decision. At the time of the department's latest report Mr X was awaiting the outcome of judicial review.

Mr X was granted a bridging visa on 14 July 2017 and released from immigration detention.